



County of Los Angeles  
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May 11, 2004

To: Supervisor Don Knabe, Chairman  
Supervisor Gloria Molina  
Supervisor Yvonne Brathwaite Burke  
Supervisor Zev Yaroslavsky  
Supervisor Michael D. Antonovich

From: David E. Janssen  
Chief Administrative Officer

**SACRAMENTO UPDATE**

**Status of County-Interest Legislation**

**County-sponsored SB 1382 (Murray)**, which would allow taxing entities, such as the County, at least 90 days to review redevelopment plans, passed the Senate on consent on May 10, 2004. The bill now proceeds to the Assembly.

**County-opposed SB 1462 (Kuehl)**, which would have created the Southern California Military Greenway Commission, under the auspices of the State, to gather information, review plans, and mediate disputes related to proposed land uses that may affect military flights within eight counties including Los Angeles, was amended on April 26, 2004.

It now requires that for all projects located beneath special use airspace, the lead agency, such as Regional Planning or the Department of Public Works, must transmit all environmental documents to the State Office of Planning and Research which will send the documents to all the branches of the military. Upon request by an applicant or the military, the lead agency would be required to consult prior to filing an application regarding the range of actions, potential alternatives, mitigation measures and any potential and significant effects on the environment.

Also, during a public review period, the military or the lead agency may request the State Office of Planning and Research to arrange for non-binding mediation. The mediator's report would become part of the Environmental Impact Report. The cost

of the mediation would be divided between the lead agency and the Office of Planning and Research, but the actual ratio of cost sharing is not established in the bill. The bill does not address the new costs created by this new State mandate.

The Department of Regional Planning (Department) maintains that current County land use policy complies with the intent and letter of this bill except for the non-binding mediation which is a significant environmental review procedure. Currently, as a matter of County policy and practice, the Department consults with affected military agencies, assesses the effects of proposed land use projects upon military flight paths and operations, and the environmental review procedure includes an assessment of these effects. The Department has established long-term effective lines of communication with military representatives, such as those at Edwards AFB and Air Force Plant 42, by including all affected military organizations whenever a project would affect military use airspace. To the extent that the Department already consults directly with the military, this bill is duplicative and the new mediation aspects, while non-binding, disrupt the County's carefully-crafted process of review. Additionally, the State will not reimburse the County for the additional costs.

Therefore, **our Sacramento advocates will continue to oppose SB 1462** because it reduces the County's land use authority and creates an unfunded State mandate.

We will continue to keep you advised.

DEJ:GK  
MAL:JF:JL:ib

c:     Executive Officer, Board of Supervisors  
        County Counsel  
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        Independent Cities Association  
        League of California Cities  
        City Managers Associations  
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